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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,873	05/30/2001	Klaus-Dieter Renner	A34302 (071308.0159)	8997

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BAKER BOTTS LLP  
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NEW YORK, NY 10112-4498

EXAMINER
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LEE, ANDREW CHUNG CHEUNG

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/867,873

Applicant(s)

RENNER ET AL.

Examiner

Andrew C Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "16" has been used to designate both voltage divider (page 7, line 2) and One line 16 (page 7 [0014], line 2) in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because

- Reference characters not mentioned in the description shall not appear in the drawings (Fig. 1, "26" indicating SYNC\_OPT\_CU).
- Reference characters mentioned in the description must appear in the drawings (page 7, "One line 16 for transmission of a clock signal (CLK)").
- The legends are required in the rectangular boxes inside the second communication parties 4, 6 and 8, respectively.

- The signal flow for the line 18 of the transmission of data (Tx) and line 20 of the reception of data (Rx) is not clear.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The disclosure is objected to because of the following informalities:
  - Page 7, the reference character "16" has been used twice and reference to two different elements - "voltage divider" (line 2) and "One line 16 for the transmission of a clock signal (CLK)" ([0014] line 2).

- The Office would request the Applicant(s) to provide more clarification for the function of line 16. The disclosure is not clearly described and indicated for line 16. For example, in [0014], line 16 once defines for the transmission of a clock signal (CLK), on the other case, a signal TXE is transmitted on this line 16.
- Page 7, [0014] lines 8 – 9, the reference character “22” is a typo. According to the Fig. 1, it indicates as “26”. The reference character “22” indicates the connection line between the Interface 12 of first communication party 2 and the unspecified rectangular box of second communication party 4.
- Page 9, [0017], line 7, the reference term “ data transmission” phase should be corrected as “data exchange” phase in consistent with the disclosure.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1 – 7, 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Sautter et al. (U.S. Patent No. 6233248 B1).

Regarding Claim 1, Sautter et al. discloses the limitation of a communication method for two communication parties linked to each other by means of a full-duplex point-to-point connection (column 4, line 46 – 48), said method comprising: an identification phase wherein said communication parties identify themselves to one another and define communication parameters (column 5, line 19; column 6, lines 55 – 57); a configuration phase wherein communication-party-dependent configuration data is exchanged between said two communication parties (column 7, lines 7 – 9); and a data exchange phase wherein cyclical and acyclical data is exchanged between the said communication parties if the configuration phase has been successfully completed (column 1, lines 64 – 66).

Regarding Claim 2, Sautter et al. discloses the limitation of a communication method as claimed wherein said identification phase is preceded by an initialization phase during which a second communication party is recognized by a first communication party (column 25, lines 48 – 57).

Regarding Claim 3, Sautter et al. discloses the limitation of a communication method as claimed wherein said identification phase and said configuration phase each comprising a double acknowledgement operation (column 17, lines 63 – 67).

Regarding Claim 4, Sautter et al. discloses the limitation of a communication method as claimed wherein said configuration phase can recommence at any time (column 10, lines 56 – 59).

Regarding Claim 5, Sautter et al. discloses the limitation of a communication method as claimed wherein said configuration phase is skipped (column 15, lines 47 – 48).

Regarding Claim 6, Sautter et al. discloses the limitation of a communication method as claimed wherein an absent connection during a communication is restored by a restart of said identification phase (column 26, lines 36 – 44).

Regarding Claim 7, Sautter et al. discloses the limitation of a communication method as claimed wherein said data exchange phase has at least one channel (column 1, lines 63 – 67).

Regarding Claim 11, Sautter et al. discloses the limitation of a communication method as claimed wherein a voltage potential on a connecting line of said full-duplex point-to-point connection is evaluated for an identification of a second communication party (column 1, lines 46 – 49).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sautter et al. (U.S. Patent No. 6,233,248 B1) in view of Narasimhan et al. (U.S. Patent No. 6,446,192 B1).

Regarding Claim 8, Sautter et al. discloses the limitation of a communication method for two communication parties linked to each other by means of a full-duplex point-to-point connection (column 4, line 46 – 48), Sautter et al. fails to disclose the communication method as claimed wherein a first communication party comprising a converter and a second communication party comprising an option module. Narasimhan et al. discloses the limitation the communication method as claimed wherein a first communication party comprising a converter and a second communication party comprising an option module (Fig. 9, Fig 11, column 12, lines 17 – 38). It would have been obvious to modify Sautter et al. to include a communication method as claimed wherein a first communication party comprising a converter and a second communication party comprising an option module as that taught by Narasimhan et al. in order to provide robust techniques for monitoring and controlling many different type of remote equipment over computer networks.



Regarding Claim 9, Sautter et al. discloses the limitation of a communication method for two communication parties linked to each other by means of a full-duplex point-to-point connection (column 4, line 46 – 48), Sautter et al. fails to disclose the communication method as claimed wherein said option module comprising an automation module. Narasimhan et al. discloses the limitation the communication method as claimed wherein said option module comprising an automation module (Fig. 9, Fig 11, column 12, lines 17 – 38). It would have been obvious to modify Sautter et al. to include a communication method as claimed wherein said option module comprising an automation module as that taught by Narasimhan et al. in order to provide robust techniques for monitoring and controlling many different type of remote equipment over computer networks.

Regarding Claim 10, Sautter et al. discloses the limitation of a communication method for two communication parties linked to each other by means of a full-duplex point-to-point connection (column 4, line 46 – 48), Sautter et al. fails to disclose the communication method as claimed wherein said option module comprising a technology module. Narasimhan et al. discloses the limitation the communication method as claimed wherein said option module comprising a technology module (Fig. 9, Fig 11, column 12, lines 17 – 38). It would have been obvious to modify Sautter et al. to include a communication method as claimed wherein said option module comprising a

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technology module as that taught by Narasimhan et al. in order to provide robust techniques for monitoring and controlling many different type of remote equipment over computer networks.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571)272-3131. The examiner can normally be reached on Monday through Friday from 8:30am – 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL  
29 October 2004

  
**Ali Patel**  
Primary Examiner